

JUL 11 2001

OFFICE OF PETITIONS

Practitioner's Docket No. 1247/A23

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of

Inventor(s)

for

Title of invention

OR

In re application of: Heinrich et al.

Serial No.: 09 / 329,557

Group Art Unit:

Filed: June 10, 1999

Examiner:

For: SYSTEM FOR REDUCING ALIASING ON A DISPLAY DEVICE

Assistant Commissioner for Patents
Washington, D.C. 20231

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OFFICE OF PETITIONS
DEPUTY A/C PATENTSTRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. 1.97(b).

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

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Date: 2/11/00

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Dorothy M. Real

(type or print name of person certifying)

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 1 of 2)



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the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which... A specification containing a description pursuant to 37 C.F.R. 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).

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IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).


SIGNATURE OF PRACTITIONER

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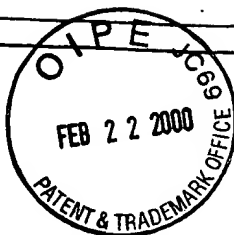
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125 Summer Street, Boston, MA 02110

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office
Action [6-3]—page 2 of 2)

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For: SYSTEM FOR REDUCING ALIASING ON A DISPLAY DEVICE

Assistant Commissioner for Patents
Washington, D.C. 20231**INFORMATION DISCLOSURE STATEMENT****CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10***(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

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***WARNING:** Each paper or fee filed by Express Mail **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).*"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.*(Information Disclosure Statement [6-1]—page 1 of 10)

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."

NOTE: The wording in § 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Form PTO-1449 (PTO/SB/08A and 08B) accompany this information statement.

(complete the following, if applicable)

☐ Exception(s) to above:

- ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
- ☐ Cumulative patents or publications identified in Section 5.

(Information Disclosure Statement—Section 6. Copies of Listed Information Items Accompanying
This Statement [6-1]—page 9 of 10)

Section 10. Identification of Person(s) Making THIS INFORMATION DISCLOSURE STATEMENT

The person making this statement is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. 1.56(c))

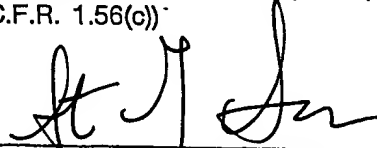
SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (c) ☒ the attorney who signs below on the basis of the information:

(check each applicable item)

- ☐ supplied by the inventor(s).
☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. 1.56(c))
☒ In the attorney's file.



SIGNATURE OF PRACTITIONER

Steven G. Saunders

(type or print name of practitioner)

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(Information Disclosure Statement—Section 10. Identification of Person(s) Making This Information Disclosure Statement [6-1]—page 10 of 10)